

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT WINCHESTER

UNITED STATES OF AMERICA)
vs.) Case No. 4:08-cr-14
TIMOTHY NEAL)) MATTICE/LEE

MEMORANDUM & ORDER

The supervised releasee, TIMOTHY NEAL, (hereafter "defendant"), appeared for a hearing before the undersigned on April 7, 2009, in accordance with Rule 46(c) of the Federal Rules of Criminal Procedure and 18 U.S.C. §§ 3143 and 3148 on the Petition for Action on Conditions of Pretrial Release. Those present for the hearing included:

- (1) AUSA Scott Winne for the USA.
- (2) The defendant, Timothy Neal.
- (3) Attorney Sam Robinson, III for defendant.
- (4) U.S. Probation Officer Doug Corn.
- (5) Courtroom Deputy Kelli Jones.

After being sworn in due form of law the defendant was informed or reminded of his privilege against self-incrimination accorded him under the 5th Amendment to the United States Constitution.

AUSA Scott Winne called U.S. Probation Officer Doug Corn, who testified that the defendant tested positive for Hydrocodone on March 25, 2009. Based on the defendant's continued drug use, I conclude the defendant has failed to abide by his conditions of release and that he is therefore a danger to the community. The defendant must be detained without bond.

SO ORDERED.

ENTER.

Dated: April 7, 2009

✓ William B. Mitchell Carter

UNITED STATES MAGISTRATE JUDGE